IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO.15697 of 2003

Between:

1 Amalakanti Varahalamma, W/o. Venkateswarlu,
R/o. Allipuram Visakhapatnam.
2 Padala Venkata Rao, S/o. Ranga Rao
Velampeta, Visakhapatnam.
3 Gidla Lalitha Prasad, S/o. Bhagavan Prasad,
Ramajogipeta, Visakhapatnam.
4 Vanapalli Venkata Satyavathi, W/o. Mutyala Somasundaram,
Krishnanagar, Visakhapatnam.
5 Tenneti Seetalaxmi, W/o. Devarakonda Durga Prasada Rao,
Official Colony, Visakhapatnam.
6 Akula Nagabhushana Rao, S/o. Suryanarayana
New Salipeta, Visakhapatnam.
7 Padala Durga Prasad, S/o. Ranga Rao,
Velampeta, Visakhapatnam.
8 Dokula Kalavati, W/o. Apparao,
Midilapuri Colony, Mudhuravada Panchayati,
Visakhapatnam.
9 Singampalli Simhachalam, S/o. Kondalrao,
Pattabhiramireddy Gardens, Kancharapalem,
Visakhapatnam.
10 Mookala Jagadesh, S/o. Mookala Geddanna,
Velampeta, Visakhapatnam.
11 Karri Apparao, S/o. Lovaraju,
12 Kilaparti Surya Satya Kumari, W/o. Narayana
13 Gokada Appalanarasamma, W/o. Appalanaidu,
14 Rayila Appalanarasamma, W/o. Venkatarao,
15 Kilaparti Sankara Rao, S/o. Appanna,

(Petitioners 11 to 15 are r/o.Velampeta, Visakhapatnam)

...PETITIONERS

AND

1. The District Collector, Visakhapatnam District.
2. The Mandal Revenue Officer, Visakhapatnam Mandal, Visakhapatnam.
3. The Visakhapatnam District Cricket Association, rep. by its Secretary, P.M. Palem, Visakhapatnam.
4. The A.P. Housing Board, rep. by its Vice-Chairman and Housing Commissioner, Gruhakalpa, Hyderabad.
5. The Executive Engineer, A.P.H.B., Isukathota, Visakhapatnam.
6. G. Amarchand, S/o. Prabhakar Rao,
   R/o. D.14-33-20, M.R. Pet, Visakhapatnam – 2.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the proceedings of the District Collector, Visakhapatnam District dated 2-7-2003 in RC No. 972/2003/E2 as wholly illegal and without jurisdiction and consequently direct the respondents 1 to 5 not dispossess the petitioners

Counsel for the Petitioners: MR.P.SRI RAGHU RAM

Counsel for the Respondents: GP FOR MUNCIPAL ADMINISTRATION & URBAN DEVELOPMENT for RR1 & 2

Counsel for the Respondent No.3: MR.C.KODANDARAM

Counsel for the Respondent No.4 & 5: MR.J.PRABHAKAR

Counsel for the Respondent NO.6: None

The Court made the following:

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ORDER:

After making submissions for some length of time, having regard to the fact that the suit filed by the petitioners' vendor, Smt.G.A.Suvarna Bai was dismissed by the Civil Court as well as by this Court, learned counsel for the petitioners seeks permission of this Court to withdraw the Writ Petition with liberty to proceed against the legal representatives of the vendor for enforcing the indemnity clause in the Conveyance Deed claiming refund of the sale consideration along with damages. Liberty is given to the petitioners to move the Civil Court for such relief and the Writ Petition is dismissed as withdrawn. Interim order dated 30.07.2003 and the order dated 01.08.2003 in W.P.M.P.No.19468 of 2003 stand vacated.

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(V.V.S.RAO, J)

13th September 2004

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The District Collector, Visakhapatnam District.
2. The Mandal Revenue Officer, Visakhapatnam Mandal, Visakhapatnam.
3. The Secretary, The Visakhapatnam District Cricket Association, P.M.Palem, Visakhapatnam.
4. The Vice-Chairman and Housing Commissioner, A.P. Housing Board Gruhakalpa, Hyderabad.
5. The Executive Engineer, A.P.H.B., Isukathota, Visakhapatnam.
6. Two CCs to G.P. for Municipal Administration & Urban Development, High Court Buildings, Hyderabad (OUT).
7. Two CD copies.